

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Eric Travers, Michael Boudreau, Joseph
Colella, Clifford Arpino, Michael
Marini, and Rocco Marini**

Plaintiffs,

v.

**City of Newton, Massachusetts, and
David B. Cohen, In His Capacity as
Mayor of the City of Newton,
Massachusetts**

Defendants.

Civil Action No.

04-12635 RWZ

**ASSENTED-TO MOTION TO ENLARGE TIME IN WHICH TO FILE
RESPONSIVE PLEADING TO PLAINTIFFS' MOTION FOR JUDGMENT ON
THE PLEADINGS**

Defendants, City of Newton and David B. Cohen, in his capacity as Mayor of the City of Newton, Massachusetts ("Defendants") respectfully request that this Court extend the time for filing a responsive pleading to the Plaintiffs' motion for judgment on the pleadings, until September 9, 2005. As grounds therefore, Defendants state that they are in discussions with Plaintiffs to narrow or resolve the issues raised in the pleadings, and the additional time sought will be necessary to do so. Counsel for Defendants conferred with counsel for the Plaintiffs, who assents to this motion.

WHEREFORE, for the foregoing reasons, Defendants respectfully requests the Court to grant their motion to extend time to September 9, 2005.

Date: July 13, 2005

Respectfully Submitted,

CITY OF NEWTON and DAVID B. COHEN

By their Attorneys,

/s/ Mary Jo Harris

Keith H. McCown, Esq. (BBO# 329980)

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Certificate of Service

I hereby certify that a copy of the foregoing Assented to Motion to Enlarge Time in Which To Answer, Move or Otherwise Plead was served upon Harold B. Lichten, Esq., Pyle, Rome, Lichten, Ehrenberg, & Liss-Riordan, P.C., 18 Tremont Street, Suite 500 Boston, MA 02111 and to Donnalyn B. Lynch Kahn, Esq., City of Newton, 1000 Commonwealth Ave., Newton Centre, MA 02459 by facsimile and first-class mail this 13th day of July, 2005.

/s/ Mary Jo Harris

Mary Jo Harris